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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER – Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

2006 NOV 13 P 2:12

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE PETITION OF) DOCKET NO. T-03406A-06-0572
ESCHELON TELECOM OF ARIZONA, INC. FOR) DOCKET NO. T-01051B-06-0572
ARBITRATION WITH QWEST CORPORATION,)
PURSUANT TO 47 U.S.C. § 252 OF THE)
FEDERAL TELECOMMUNICATIONS ACT OF)
1996.)

**MOTION AND CONSENT OF MICHAEL W. PATTEN FOR
PRO HAC VICE ADMISSION OF GREGORY RONALD MERZ
ON BEHALF OF ESCHELON TELECOM OF ARIZONA, INC.**

Pursuant to Rule 33(c) and (d) Rules of Supreme Court, Michael W. Patten moves the Arizona Corporation Commission to admit Gregory R. Merz as counsel pro hac vice in this action.

The following exhibits are attached here to pursuant to Rule 33(c) and (d):

1. The Original Verified Application;
2. The Certificate of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Michael W. Patten hereby agrees to serve as designated local counsel for the above-captioned docket.

Arizona Corporation Commission
DOCKETED

NOV 13 2006


DOCKETED BY

nr

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 RESPECTFULLY SUBMITTED this 13th day of November 2006.

2 ROSHKA DEWULF & PATTEN, PLC

3
4 By 
5 Michael W. Patten
6 One Arizona Center
7 400 East Van Buren Street, Suite 800
8 Phoenix, Arizona 85004

9 Original and 15 copies of the foregoing
10 filed this 13th day of November 2006 with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, Arizona 85007

15 Copy of the foregoing hand-delivered/mailed
16 this 13th day of November 2006 to:

17 Norman G. Curtright
18 Qwest Corporation
19 20 East Thomas Road, 16th Floor
20 Phoenix, Arizona 85012

21 Jason D. Topp
22 Qwest Corporation
23 200 South 5th Street, Ste 2200
24 Minneapolis, Mn 55402

25 Amy Bjelland, Esq.
26 Administrative Law Judge
27 Hearing Division
28 Arizona Corporation Commission
29 1200 West Washington
30 Phoenix, Arizona 85007

31 Jane Rodda
32 Administrative Law Judge
33 Hearing Division
34 Arizona Corporation Commission
35 400 West Congress
36 Tucson, Arizona 85701

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1 Christopher C. Kempley
2 Chief Counsel, Legal Division
3 Arizona Corporation Commission
4 1200 West Washington
5 Phoenix, Arizona 85007

6 Ernest G. Johnson, Esq.
7 Director, Utilities Division
8 Arizona Corporation Commission
9 1200 West Washington
10 Phoenix, Arizona 85007

11 By



Arizona Corporation Commission

Eschelon Telecom of Arizona,
Plaintiff,

v.

Qwest Corporation,
Defendant.

CASE # Not yet assigned

SBA App # 1002707

NOTICE OF RECEIPT OF
COMPLETE APPLICATION

NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
received the verified application and fee from Gregory Ronald Merz.

In addition to this application, applicant has made the following applications to appear pro hac
vice, pursuant to Rule 38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
Good Standing are attached hereto.

DATED this 02nd day of August 2006


Ayde Gutierrez

Resource Center
State Bar of Arizona

Original Mailed on this 02nd day of August 2006 to:

Michael W. Patten
Roshka DeWulf & Patten PLC
One Arizona Center
400 E Van Buren Suite 800
Phoenix, AZ 85004-2262



For Official Use Only

App# 1002714

Pro Hac ID # PI60723

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Gregory Ronald Merz

Residence Address: 3830 Girard Avenue North, Minneapolis, MN 55412

Office Address: Gray Plant Mooty, 500 IDS Center, 80 South 8th Street, Minneapolis, MN 55402

Telephone: 612 632 3257

Fax: 612 632 4257

Title of cause or case where applicant seeks to appear: Petition of Eschelon Telecom of Arizona, Inc. for Arbitration of Intercarrier Negotiations with Qwest Corporation under the Telecommunications Act of 1996

Docket Number: Not yet assigned

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Eschelon Telecom of Arizona, Inc.

Courts to Which Applicant Has Been Admitted:

Minnesota state courts

Date of Admission:

10/16/1987

Bar Number:

185942

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where
Discipline Matter Pending:

Nature of Matter
Under Investigation:

Name / Address of
Disciplinary Authority:

Applicant ☐ has / ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

RECEIVED

JUL 21 2006

State Bar of Arizona
Resource Center Department

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Name of local counsel: Micheal W. Patten

State Bar of Arizona Number: 009796

Address: Roshka, DeWulf & Patten, One Arizona Center, 400 E. Van Buren, Suite 800, Phoenix, AZ 85004

Telephone : 602 256 6100

Fax: 602 256 6800

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest</u>	<u>Norman G. Curtright</u>	<u>20 E. Thomas Road, 16th Floor, Phoenix, AZ 85012</u>
<u>Qwest</u>	<u>Melissa K. Thompson (pro hac vice pending)</u>	<u>1801 California, 10th Floor, Denver, CO 80202</u>
_____	_____	_____
_____	_____	_____

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$391.00.

This case or cause is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

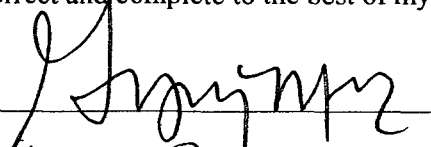
Verification

STATE OF Minnesota
County of Hennepin) ss.

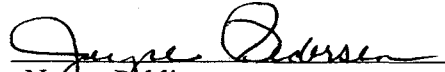
I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: July 20, 2006

Applicant's signature

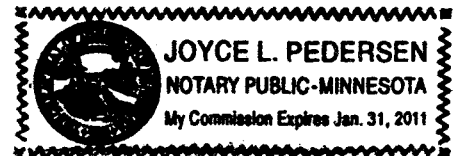


SUBSCRIBED AND SWORN TO before me this 20th day of July, 2006, by
Gregory Ronald Merz
Name of Applicant


Notary Public

NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
Pro Hac Vice
4201 N. 24th Street, Suite 200
Phoenix, AZ 85016-6288



For further information, please contact our Resource Center at 602-340-7239.

STATE OF MINNESOTA IN SUPREME COURT

Certificate of Good Standing

This is to certify that the following attorney is in good standing.

GREGORY RONALD MERZ

was duly admitted to practice as an attorney and counselor at law in all the courts of this state on

October 16, 1987

Given under my hand and seal of this court on

June 12, 2006



Fredrick K. Grittner

Fredrick K. Grittner

Clerk of Appellate Courts